

CHARGE SHEET**I. PERSONAL DATA****1. NAME OF ACCUSED:**

Noor Uthman Muhammed

2. ALIASES OF ACCUSED:

aka Abu Al-Hareth, Farouq, Farouk, Ikramah, Ekrima, Akrama, Muhammed Nor Usman, Muyammed Nor Uthman, Samir, Zamir Muhammed, Hakim Khodaydad, Abu Haris

3. ISN NUMBER OF ACCUSED (LAST FOUR):

707

II. CHARGES AND SPECIFICATIONS**4. CHARGE: VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.****SPECIFICATION:**

See Attached Charges and Specifications.

III. SWEARING OF CHARGES**5a. NAME OF ACCUSER (LAST, FIRST, MI)**

Regan, Edward

5b. GRADE

0-6

5c. ORGANIZATION OF ACCUSER

OMC-Prosecution

5d. SIGNATURE OF ACCUSER**5e. DATE (YYYYMMDD)**

20081205

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 5th day of December, 2008, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

Lockhart, Andrea

Typed Name of Officer

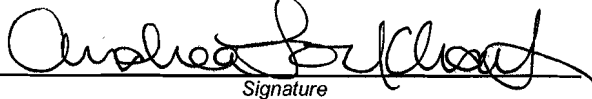
OMC-Prosecution

Organization of Officer

0-4

Grade

10 USC 1044(b)

Official Capacity to Administer Oath
(See R.M.C. 307(b) must be commissioned officer)
Signature

IV. NOTICE TO THE ACCUSED

6. On DECEMBER 15, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

Timothy M. Clark O-3

Typed Name and Grade of Person Who Caused
Accused to Be Notified of Charges

DMC - PHS Section

Organization of the Person Who Caused
Accused to Be Notified of Charges

[Signature]

Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1218 hours, on 12 Dec 2008, at Arlington, VA

Location

For the Convening Authority: Timothy J. Clark

Typed Name of Officer

SFC, USA

Grade

[Signature]

Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY

Convening Authority 10 USC §948h
Appointed on 6 February 2007

8b. PLACE

Arlington, VA

8c. DATE (YYYYMMDD)

20090108

Referred for trial to the (non)capital military commission convened by military commission convening order 09-03 dated 7 January 2009

subject to the following instructions¹: This case is referred non-capital

By XX
Command, Order, or Direction

Susan J. Crawford

Typed Name and Grade of Officer

[Signature]

Signature

Convening Authority 10 USC §948h

Official Capacity of Officer Signing

VII. SERVICE OF CHARGES

9. On _____, I (caused to be) served a copy these charges on the above named accused.

Typed Name of Trial Counsel

Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

¹See R.M.C. 601 concerning instructions. If none, so state.

Charge Sheet Continuation Page in Case of NOOR UTHMAN MUHAMMED

CHARGE I: Violation of 10 U.S.C. section 950v(b)(25), Providing Material Support for Terrorism.

Specification: In that NOOR UTHMAN MUHAMMED, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at various times and locations in Afghanistan and elsewhere, between on or about August 1996 and on or about March 2002, in the context of or associated with an armed conflict, intentionally provide material support to international terrorist organizations, including but not limited to al Qaeda, an international terrorist organization engaged in hostilities against the United States, knowing that such organizations have engaged or engaged in terrorism, by performing at least one of the following acts:

S/C
12-22-08

- a. After completing training at Khaldan (also spelled as Khalden) terrorist training camp, Afghanistan, Noor Uthman Muhammed became a weapons instructor at the camp. Between on or about 1996 and on or about 2000, Muhammed instructed numerous terrorist trainees on various subjects; including but not limited to small arms and artillery.
- b. After he completed his training, Muhammed stayed at the Khaldan camp. During that period, he served on the Khaldan terrorist training camp *shura* or leadership council. Additionally, Muhammed served as the Khaldan camp deputy *emir* or commander.
- c. On numerous occasions, between on or about 1996 to on or about 2000, Muhammed, in his capacity as the deputy *emir* of Khaldan training camp, oversaw the daily operations of the camp, including but not limited to responsibility for training and the acquiring of food and supplies for the camp.
- d. On or about 1999, Muhammed delivered an electronic device to the al Qaeda training camp, Jihad Wal located in Afghanistan.
- e. On or about 19 February 1999, Muhammed communicated with Abu Khebab, recommending two Tajik trainees for additional terrorist training in poison manufacturing.

- f. On or about 13 April 1999, Muhammed communicated with Abu Khebab, recommending Osayed al Yemeni for additional training at another terrorist training camp.
- g. On or about June 2000, Muhammed attended a meeting of terrorist leaders in Wazir Akbar Khan, Kabul House located in Afghanistan. There, Muhammed received instructions to reduce operations and ultimately to close the Khaldan terrorist training camp.
- h. On or about March 28, 2002, Muhammed, along with several others, attempted to escape from a terrorist safe house in Faisalabad, Pakistan, after a raid by local authorities, but was captured during his attempt.

Violation of 18 U.S.C. section 950v(b)(28), Conspiracy.

CHARGE II: Specification: In that NOOR UTHMAN MUHAMMED, a person subject to trial by military commission as an alien unlawful enemy combatant, did, ~~in the context of and associated with an armed conflict~~, at various times and in various locations in Afghanistan and elsewhere, from on or about August 1996 through on or about March 2002, conspire and agree with others, known and unknown, including members and associates of the al Qaeda organization, to commit one or more substantive offenses triable by military commission, to wit: attacking civilians, attacking civilian objects, intentionally causing serious bodily injury, murder of a protected person or persons in violation of the law of war, murder in violation of the law of war, destruction of property in violation of the law of war, providing material support to an international terrorist organization and terrorism, knowing the unlawful purpose of the agreement and joining willfully with the intent to further said unlawful purpose, and in order to accomplish some objective and purpose of the agreement, NOOR UTHMAN MUHAMMED knowingly committed at least one of the following overt acts:

- a. After completing training at Khaldan (also spelled as Khalden) terrorist training camp, Afghanistan, Noor Uthman Muhammed became a weapons instructor at the camp. Between on or about 1996 and on or about 2000, Muhammed instructed numerous terrorist trainees on various subjects; including but not limited to small arms and artillery.
- b. After he completed his training, Muhammed stayed at the Khaldan camp. During that period, he served on the Khaldan terrorist training camp *shura* or leadership council. Additionally, Muhammed served as the Khaldan camp deputy *emir* or commander.

- c. On numerous occasions, between on or about 1996 to on or about 2000, Muhammed, in his capacity as the deputy *emir* of Khaldan training camp, oversaw the daily operations of the camp, including but not limited to responsibility for training and the acquiring of food and supplies for the camp.
- d. On or about 1999, Muhammed delivered an electronic device to the al Qaeda training camp, Jihad Wal located in Afghanistan.
- e. On or about 19 February 1999, Muhammed communicated with Abu Khebab, recommending two Tajik trainees for additional terrorist training in poison manufacturing.
- f. On or about 13 April 1999, Muhammed communicated with Abu Khebab, recommending Osayed al Yemeni for additional training at another terrorist training camp.
- g. On or about June 2000, Muhammed attended a meeting of terrorist leaders in Wazir Akbar Khan, Kabul House located in Afghanistan. There, Muhammed received instructions to reduce operations and ultimately to close the Khaldan terrorist training camp.
- h. On or about March 28, 2002, Muhammed, along with several others, attempted to escape from a terrorist safe house in Faisalabad, Pakistan, after a raid by local authorities, but was captured during his attempt.